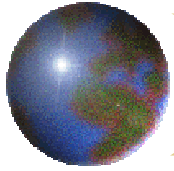


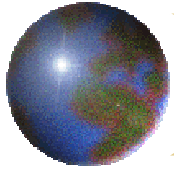
# **Final Draft Zoning** **Ordinance and** **Zoning Map**

## **Briefing to Mayor and** **Council**



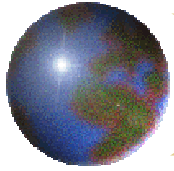
# **Presentation Outline**

- **Background of Process**
- **Highlights of Planning  
Commission Recommendations**
- **Zoning Map**
- **Topics for further study**
- **Development moratorium**

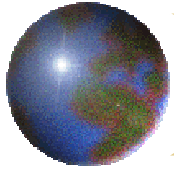


## **Background:**

- 2005-06 – Mayor and Council worksessions on zoning issues – staff white papers**
- RORZOR Committee appointed by Mayor and Council in February, 2006**
- RORZOR completes work on draft ordinance and maps in September, 2007**

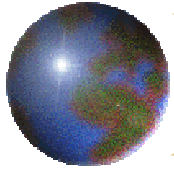


- Mayor and Council introduce text amendment and map amendment on October 8, 2007**
- Planning Commission holds public hearings in January, 2008**
- Planning Commission approves final draft text and revised maps on May 21, 2008 for transmittal to Mayor and Council**

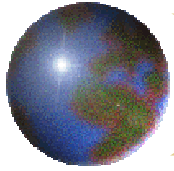


# **Highlights of Planning** **Commission Recommendations**

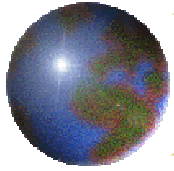
- **Residential Areas: Home-Based Business Enterprises (HBBEs); Mansionization; Park Zone**
- **Mixed-Use Zones: Building Heights; Stonestreet Avenue; Public Use Space; Layback Slope; Sidewalks;**



- **Grandfathering & Nonconformities:**  
**Grandfathering for mixed-use zones  
& moderate density residential zones**
- **Parking Standards:** Set maximums;  
Allow more reductions; Design Manual
- **Historic Site Provisions:** Defined role  
for HDC in project review; Delete “50-  
Year” rule



- Signs:** Consider a comprehensive review of sign provisions
- Planned Development Zones:**  
Treatment of existing Special Developments
- Master Plan Recommendations:**  
Changes recommended per draft Twinbrook Neighborhood Plan and pending Rockville Pike Plan

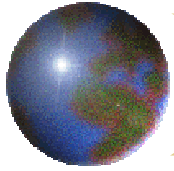


**•Environmental Issues:**  
**Encroachments for alternative energy sources; floodplains; “Green Building” ordinance**

**•Items Needing Further Consideration: Future “Green Building” ordinance; grading of residential lots;**

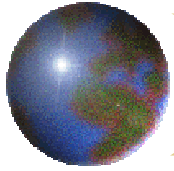
**Development Moratorium:**  
**Extension of moratorium; partial modification; Rockville Pike area**



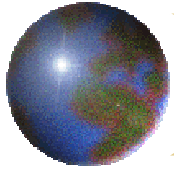


## **Home-Based Business Enterprises** **(Sec. 25.09.07):**

- **Create a no-impact HBBE - Up to 10 visits per week**
- **No visitor logs**
- **Limit allowable floor area to 49% of total**
- **Use existing accessory buildings**

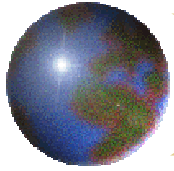


- **Major HBBE's (more than 20 visits per week and/or up to 2 non-resident employees are a Special Exception**
- **Existing legal HBBEs allowed to continue**



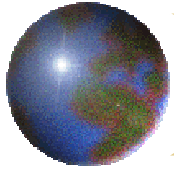
## **“Mansionization” (Sec. 25.10.08):**

- **Retain most RORZOR recommendations.**
- **Allow additional height up to 40’ to peak for alternative energy generation/solar access with site plan review by Commission.**
- **No grandfathering proposed in single-unit detached residential zones**



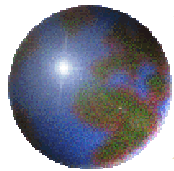
## **Park Zone (Sec. 25.14.06):**

- Park Zone modified as recommended by Recreation and Parks**
- Commission recommends that the Park Zone be shown on all City-owned park areas, including those within the proposed PD areas**
- Park Zone recommended to placed on all public school sites.**



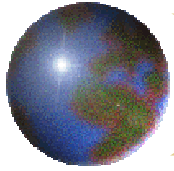
## **Mixed-Use Zones (Article 13):**

- **Mixed-Use Transit District (MXTD)**
- **Mixed-Use Corridor District (MXCD)**
- **Mixed-Use Employment (MXE)**
- **Mixed-Use Business (MXB)**
- **Mixed-Use Neighborhood Commercial (MXNC)**
- **Mixed-Use Commercial (MXC)**
- **Mixed-Use Transition (MXT)**



Existing Zones			Proposed Zones		
Zone	Bldg. Height		Mixed- Use Zone	Bldg. Height (RORZOR)	Bldg. Height (Plan. Comm.)
	Std.	Optional			
TC-1	45'	N/A	MXTD	120'	120' (150' with conditions)
TC-2	75'	N/A			
TC-3	75'	100'			
TC-4	100'	235'			
RPC	35'	75/110'	MXCD	75'	75'
RPR	110'	N/A			
C-2	75'	N/A	MXNC	50'	45' (65' with conditions)
O-1	75'	90'	MXE	120'	120'
O-3	35'	N/A			
I-3	35'	125'			
I-1	40'	N/A	MXB	55'	55'
I-2	40'	N/A			
I-4	40'	N/A			
C-1	30'	N/A	MXC	30'	30'
O-2	35'	N/A	MXT	35'	35'
C-T	35/40'	N/A			



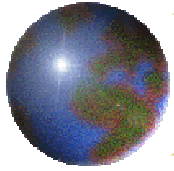


- **Building heights proposed to be more flexible (Sec. 25.13.05.2):**

- **No upper-story setbacks**

- **In MXTD, height along street frontage limited to 65 feet unless master plan recommends more height.**

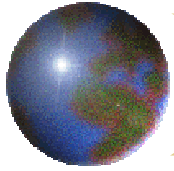
- **In MXTD, heights up to 150 feet allowed where recommended in the master plan or with added enhancements**



- **Building height in MXCD Zone limited to 75'. No additional height flexibility pending outcome of Rockville Pike Plan recommendations.**

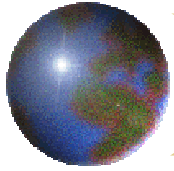
- **Building height in MXNC Zone reduced to 45'. May go to 65' if recommended in master plan.**





## **Stonestreet Avenue Corridor:**

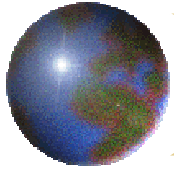
- Revised the zoning recommendation from MXT to MXB on the east side of N. Stonestreet Avenue**
- Added new land use categories - Home Improvement Service; Non-Medical Research Laboratories; Archival record storage**
- Recommends rezoning existing convenience store on S. Stonestreet to R-60**



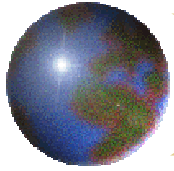
**•Public Use Space (Sec. 25.13.05.5): Set at 20% for all mixed-use zones.**

**•Sites <40,000 sq. ft., height not exceeding 65', and no residential may elect to use fee-in-lieu to meet all public use space.**

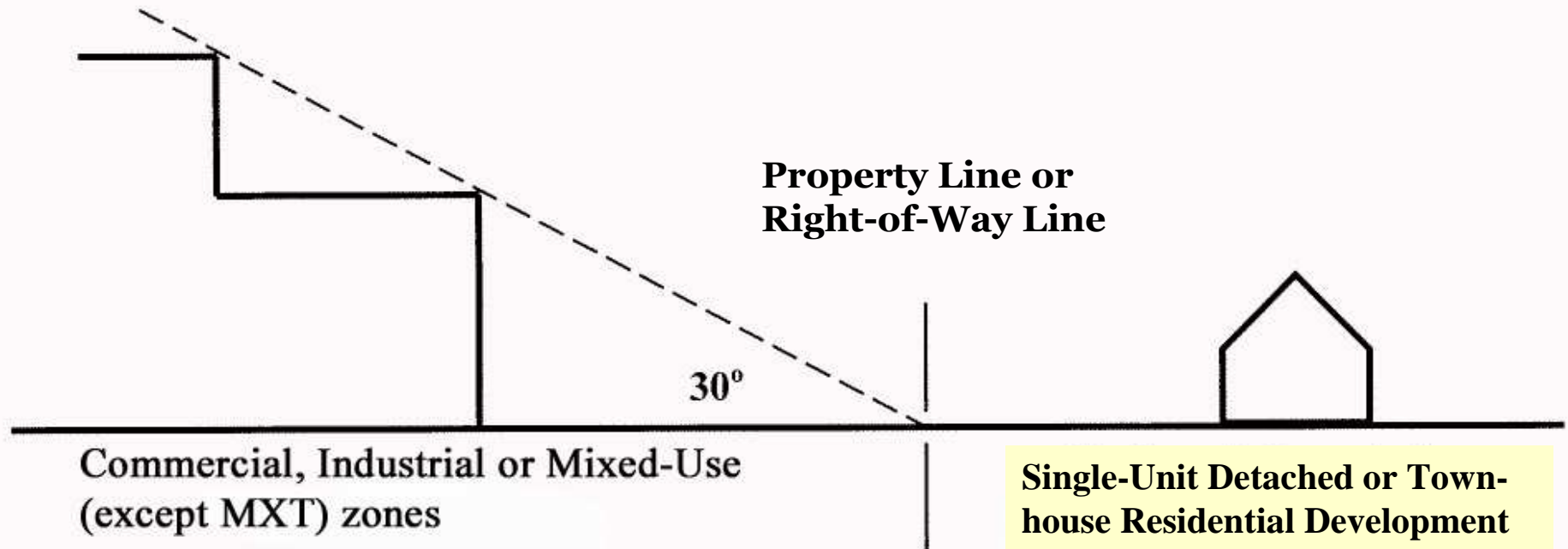
**•Sites with height above 65' must provide 10% public use space on-site.**

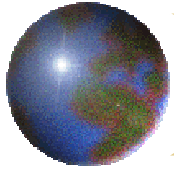


- **Sites >40,000 sq. ft. must provide at least 10% public use space on-site. Balance may be provide via fee-in-lieu**
- **Sites <40,000 sq. ft. and with residential uses must provide at least 10% public use space**

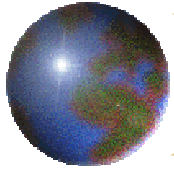


# Layback Slope





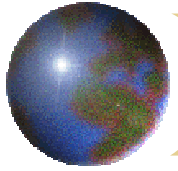
- **Commission recommends not applying layback slope where adjoining residential property is not developed with residential uses – private schools, country clubs, etc.**
- **Apply layback slope where adjoining residential includes townhouses.**



- **Sidewalks (Sec. 25.17.05):**

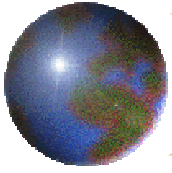
**Commission recommends that sidewalk design recommendations be guidelines rather than standards. Flexibility needed based on site conditions, character of adjoining development, etc.**

- **Maintain 7' tree lawn area and 6' clear pedestrian path where possible.**



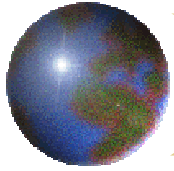
## **Nonconformities and Grandfathering** **(Secs. 25.11.04.d & 25.13.05.d):**

- **Provide a grandfather provision for the medium-density residential zones (Townhouses and multi-unit residential) and for the Mixed-Use zones.**
- **Development that conforms to the current zone standards will be considered conforming**



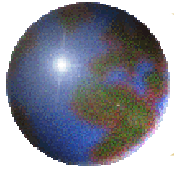
- **Any extensions or additions beyond 5% of the pre-existing floor area must conform to the new zone standards.**
- **Total demolition requires new development to conform to the new standards.**



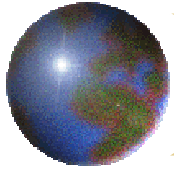


## **Parking:**

- **Commission recommends limited parking in front in MXTD Zone where ground floor retail is provided (Sec. 25.13.07.a.6).**
- **Set MAXIMUM parking standards for most commercial/industrial zones (Sec. 25.16.03.e).**
- **No limit on amount of parking reductions allowed (Sec. 25.16.03.g).**

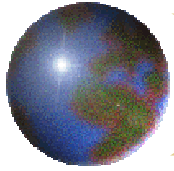


- **Allow for parking reductions on small lots where full provision would hinder redevelopment.**
- **Consider parking districts to provide public parking.**
- **Consider allowing some on-street parking to count towards parking requirements.**



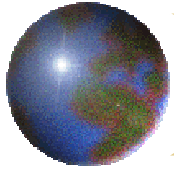
## **Historic Site Provisions (Secs. 25.07.02 & 25.14.01):**

- **Delete the “50-Year Rule”.**
- **Define HDC role in Site Plan Review Process.**
- **Early HDC evaluation for new developments to identify possible historic sites.**
- **Exterior changes restricted during evaluation process.**



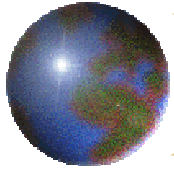
## **Signs (Art. 18):**

- **Commission recommends comprehensive review of sign provisions after adoption of revised code.**



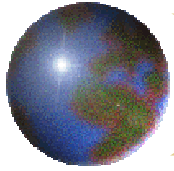
## **Planned Development Zones:**

- **Created to cover existing Special Development Procedure projects – PRUs, PDPs, CPDs, etc. (Sec. 25.14.07)**
- **Retains the original development approvals, with any amendments.**
- **Designated underlying zones established for future development not currently approved with use permit or detailed application.**

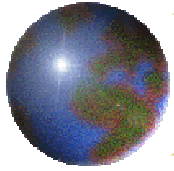


## **Zoning Changes Based on Twinbrook Draft Master Plan Recommendations:**

- Reduce normal height in MXNC from 50' to 45'; allow added height up to 65' if recommended in master plan.**
- Apply MXB Zone instead of I-L Zone to Avalon Bay property on Halpine Road.**



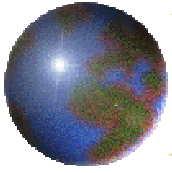
- **Retain R-60 Zone on Taylor Property on Halpine Road.**
- **Apply MXC Zone to Burgundy Park Shopping Center.**
- **Make “C” Zone a mixed-use zone, as MXC; allow single-unit detached residential; multi-family above the ground level; no alcoholic beverage sales off-site when adjoining single-family residential.**



## **For Proposed Rockville Pike Plan:**

- **No height flexibility in MXCD Zone pending recommendations from the Plan.**





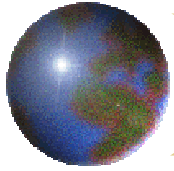
## **Environmental Issues:**

- **Added language (Sec. 25.09.06). to allow some height encroachments for alternative energy structures (solar panels, etc.).**
- **Exclude all 100-year floodplains from the density calculations (Sec. 25.03.03.c.6.b).**



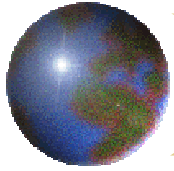




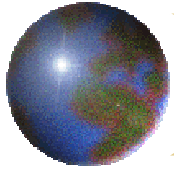


## **Items Needing Future Consideration by Mayor and Council:**

- **Commission recommends that the fee-in-lieu fees are set a levels sufficient to generate substantial funds for acquisition of needed open space areas.**

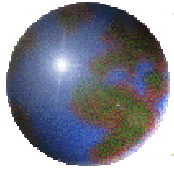


- **Consider moving the parking design provisions (Sec. 25.16.06) into a separate design manual.**
- **Recommend continuing to consider a “Green Building Ordinance”.**

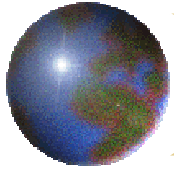


## **Items of Staff Concern**

- Height measurement in cases where lot drops below street grade. Public Works recommends most storm water should drain to street, which would mean re-grading of lots.**
- Modification of impervious surface limits in residential zones**

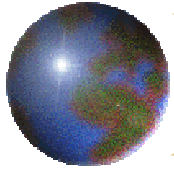


- **Mapping of Park Zone on public school sites**
- **Administration of public use space provisions in mixed-use zones**



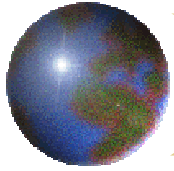
## **Development Moratorium**

- **Set to expire June 30.**
- **Possible Options:**
  - **Continue the moratorium until adoption**
  - **Modify the moratorium to allow minor impact projects: variances; special exceptions that do not require use permit; minor subdivisions (up to 3 lots)**



- **Rockville Pike Plan: Keep present zoning & establish a moratorium just for the Pike Plan area until new form-based zoning districts are adopted**





## **Future Schedule**

- Public Hearing: June 16 & June 30**
- Joint worksession with Planning Commission: July 7**
- Mayor and Council worksessions: July 14 & July 16**
- Projected adoption: August 4, 2008**